

## **RECORD OF PROCEEDINGS**

---

<b>CALL TO ORDER</b>	A regular meeting of the Council Bluffs City Council was called to order by Mayor, Thomas P. Hanafan, on Monday, September 14, 2009 at 7:00 p.m.
<b>ATTENDANCE</b>	Council Members present: Darren Bates, Scott Belt, Lynne Branigan, Matt Schultz and Matt Walsh. Staff present: Richard Wade, City Attorney and Marcia Worden, City Clerk.
<b>CONSENT AGENDA</b>	<p>Belt and Branigan moved and seconded the approval of the consent agenda. Unanimous.</p> <p>Mayor Hanafan read and presented a Proclamation regarding <i>"Iowa Employer Support of the National Guard and Reserve Week "2009"</i> to Frances Clark, of Dickinson &amp; Clark, CPA's.</p>
<b>PUBLIC HEARINGS</b> Resolution 09-281	Application respectfully withdrawn, no action taken on Resolution 08-281, regarding a preliminary plan approval for a 10-lot commercial subdivision to be known as Southtowne.
Resolution 09-268	Held Public Hearing regarding Resolution 09-268, authorizing disposal of City property legally described as Lots 1 and 2, Block 2, Stutsman's Second Addition. Belt and Walsh moved and seconded approval of Resolution 09-268. Unanimous.
Resolution 09-269	Held Public Hearing regarding Resolution 09-269, approving the Plans, Specifications and Form of Contract for Phase I of the 28 <sup>th</sup> Avenue Extension Project – Grading Improvements and directing the City Clerk to advertise for bids. Belt and Schultz moved and seconded approval of Resolution 09-269. Heard from Frank Carbis, 1719 28 <sup>th</sup> Avenue, concerned about access south of 28 <sup>th</sup> Avenue. Council Member Walsh indicated the matter of South 18 <sup>th</sup> Street would be addressed at a later time and Mr. Carbis would be notified of the process. Unanimous.
Ordinance 6042	Held Public Hearing regarding Ordinance 6042, amending the zoning map as adopted by reference in Section 15.02.040, by changing the district designation of certain grounds, premises and property generally located at North 17 <sup>th</sup> Street and Avenue C, from C-2/Commercial to R-3/Low Density Multi-Family Residential, as set forth and defined in Chapters 15.15 and 15.10. Belt and Walsh moved and seconded approval of Ordinance 6042. Unanimous. Motion by Belt, second by Walsh, to waive third reading, Ordinance 6042 passed into law. Unanimous.
<b>RESOLUTIONS</b> Resolution 09-270	Belt and Branigan moved and seconded approval of Resolution 09-270, authorizing the purchase of one (1) new tractor. Unanimous.
Resolution 09-271	Branigan and Belt moved and seconded approval of Resolution 09-271, authorizing the Mayor and City Clerk to enter into an agreement with MFT Construction, Inc., for the Mid-City Trail Project. Unanimous.
Resolution 09-272	Branigan and Belt moved and seconded approval of Resolution 09-272, designating an authorized representative to make an application to the Hazard Mitigation Grant Program and to commit a 15% local match amount for the Hazard Mitigation Grant Program for implementation of a project at 3100 Harry Langdon Boulevard. Unanimous.
Resolution 09-273	Belt and Walsh moved and seconded approval of Resolution 09-273, authorizing the Mayor and City Clerk to execute an Iowa Department of Transportation Preconstruction Agreement, No. 2010-4-002, in connection with Interstate Reconstruction. Unanimous.
Resolution 09-274	Belt and Bates moved and seconded approval of Resolution 09-274, authorizing the Mayor to execute an Iowa Department of Transportation Agreement for Traffic Safety Improvements Funding, Project No. CS-TSF1642(656)-85-78; Agreement No. 2010-TS-005. Unanimous.

## RECORD OF PROCEEDINGS

- |                   |  |
|-------------------|--|
| Resolution 09-275 | Schultz and Branigan moved and seconded approval of Resolution 09-275, authorizing the Mayor and City Clerk to execute an agreement with Andersen Construction Company for the Stormwater Relief Wells. Unanimous.   |
| Resolution 09-276 | Belt and Walsh moved and seconded approval of Resolution 09-276, authorizing the Mayor and City Clerk to execute an agreement with Eymen Plumbing for the East 29 <sup>th</sup> Avenue Sewer Extension. Unanimous.   |
| Resolution 09-277 | Belt and Branigan moved and seconded approval of Resolution 09-277, authorizing the Mayor and City Clerk to execute an agreement with HGM Associates, Inc., in connection with the Public Works Operation Facility. Unanimous.   |
| Resolution 09-278 | Belt and Walsh moved and seconded approval of Resolution 09-278, authorizing the Mayor and City Clerk to execute an agreement with Ozonia North America for the Wastewater Disinfection Ultra Violet Light Equipment Procurement. Unanimous.   |
| Resolution 09-279 | Branigan and Walsh moved and seconded approval of Resolution 09-279, revising the tax exemption schedule adopted by the City of Council Bluffs in Resolution 07-371, which was approved October 8, 2007. Unanimous.  |
| Resolution 09-280 | Schultz and Belt moved and seconded approval of Resolution 09-280, authorizing the Abolition of one (1) Accounting Clerk II Position in the City of Council Bluffs Finance Department. Voice Vote: 4 Ayes; 1 Nay (Bates).  |
| Resolution 09-281 | Belt and Walsh moved and seconded approval of Resolution 09-281, establishing the procedure for approval of Change Orders to construction contracts. Council Member Bates noted the amount could go up to \$50,000 per million, which could affect the bidding process and will vote against the issue. Voice Vote: 4 Ayes; 1 Nay (Bates). |

RECEIVE & FILE  
ITEMS

Walsh and Belt moved and seconded the approval of Receive and File Items regarding 7A & B. 7A. Five (5) Notices of Claim; 7B. Sixteen (16) Notices of Right of Redemption. Unanimous.

## APPLICATIONS FOR PERMITS & CANCELLATIONS

Belt and Branigan moved and seconded approval of Applications for Permits and Cancellations regarding Items 8A (1, 2, 4), 8B and 8C. 8A. Beer/ Liquor & Native Wine Permit Applications: 8A (1). Bucky's Express #34, 3501 West Broadway, 8A (2). Hooters, 2910 23<sup>rd</sup> Avenue, 8A (4). The Filling Station, 1531 2<sup>nd</sup> Avenue. 8B (1); One (1) Cigarette Permit Application for the Fiddlin Monkey, 154 West Broadway; 8C (1). Special Event Permit Application (Fireworks) for the Council Bluffs Community School District, 150<sup>th</sup> Education Anniversary Celebration, September 25, 2009. Unanimous.

Belt and Bates moved and seconded approval of the Item 8A (3). Liquor Application for Lipstix, 1501 North 16<sup>th</sup> Street. Unanimous.

Council Member Bates congratulated Council Member Schultz on the recent birth of his daughter Kendra Marie.

**ADJOURNMENT**

Belt and Branigan moved and seconded adjournment at 7:21 p.m. Unanimous.

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the City Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

Thomas P. Hanafan, Mayor

ATTEST:

Marcia L. Worden, City Clerk